

DECISION RECORD

Decision: It is my decision to authorize the issuance of a ten year grazing lease of public lands on the Brahim Hindi and Sons Ranch, Allotment 62088. The lease will allow 23 Animal Units yearlong at 100 % Public Land for 162 Animal Unit Months. Any additional mitigation measures identified in the environmental impacts sections of the attached environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed treatment were considered and any necessary changes have been incorporated into the environmental assessment.

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If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470). The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, 88201, and must state clearly and concisely your specific points.

Signed by T. R. Kreager,
Assistant Field Office Manager - Resources

8/12/99
Date

**ENVIRONMENTAL ASSESSMENT
for
GRAZING AUTHORIZATION**

ALLOTMENT 62088, SECTION 15

EA-NM-060-99-148

May, 1999

**U.S. Department of the Interior
Bureau of Land Management
Roswell Field Office
Roswell, New Mexico**

I. Introduction

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing lease on allotment 62088.

The scope of this document is limited to the effects of issuing a 10 year grazing lease, other future actions such as range improvement projects will be addressed in a project specific environmental assessment. There are no current plans for additional management actions on this allotment.

A. Purpose and Need for the Proposed Action

The purpose of issuing a new grazing lease would be to authorize livestock grazing on public lands on allotment 62088. The lease would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, 4180.1 and 4130.3-2.

B. Conformance with Land Use Planning

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

C. Relationships to Statutes, Regulations, or Other Plans

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

Proposed Action and Alternatives

A. Proposed Action:

The proposed action is to authorize Brahaim Hindi and Sons a grazing lease for 23 cows yearlong at 100% Federal Range for 162 Animal Unit Months (AUM's)

B. No Lease authorization alternative:

This alternative would not issue a new grazing lease. There would be no livestock grazing authorized on public land within allotment 62088.

III. Affected Environment

A. General Setting

Allotment 62088 is located in Guadalupe County, approximately 16 miles south of Vaughn, New Mexico. The allotment consists 960 acres of Public land. The ranch also contains private lands, but these lands are not credited because only the Public land is accounted for under this section 15 lease.

This allotment lies outside of the Roswell Grazing District boundary established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands outside of the Grazing District boundary is governed by section 15 of the TGA. Overall livestock numbers for the ranch are not controlled under this section 15 lease. The amount of forage produced on Public land is the determining factor on the number of authorized livestock.

The landscape is grassland of open hills, with loamy soils, and small draws draining the area. More detailed information of the area is discussed under the affected resources section.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Floodplains, Minority/Low Income Populations, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones. Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

B. Affected Resources

1. Soils: The Natural Resource Conservation Service has not completed a soil survey for Guadalupe county. Rangeland inventory information describes the

site as loam soils with varying depths. No other soil information is available at this time.

2. Vegetation: This allotment is within the pinion-juniper vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the pinion-juniper community is that the area does have the potential to have pinion, juniper, or mountain mahogany in the description of the potential plant community. The primary consideration for inclusion into this community type is the influence of topography, elevations, and slopes. This community type has smaller areas that are scattered throughout other types such as grasslands. Short-grass, mid-grass, and tall-grass species may be found within this community. The community also includes shrub, half-shrub, and forb species. The percentages of grasses, forbs, and shrubs actually found at a particular location will vary with recent weather factors and past resource uses.

A rangeland inventory for vegetation production and ecological range site condition was performed on this allotment in 1991. Analysis of the inventory data indicates that the Hills CP-3 range site is in fair condition and usable forage is available for the amount of livestock listed in the proposed action. Copies of the inventory data are available at the Roswell Field Office. The study data shows that the area is vegetated primarily with grass. The existing vegetation consist of grasses such as blue grama, sideoats grama, 3-awns, New Mexico feathergrass, muhly, hairy grama, and wolftail. The shrub and tree species include snakeweed, yucca, feather dalea, cholla cactus, and one-seed juniper.

Monitoring data indicates that the vegetative conditions on allotment 62088 achieve the objectives established in the Roswell RMP. Monitoring data and analysis are available for review at the Roswell Field Office.

3. Wildlife: Game species occurring within the area include mule deer, pronghorn antelope, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area is located in the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. Threatened and Endangered Species: There are no known resident populations of threatened or endangered species on this allotment. A list of federal threatened, endangered, and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell RMP (AP11-2). Of the listed species, avian species such as the bald eagle and peregrine falcon may be observed in the general geographic area during migration or the winter months. There are no known records of these species having occurred on the allotment. There are no designated critical habitat areas within the allotment.

5. Livestock Management: The allotment is operated as a cow/calf and sheep ranch by Brahim Hindi and Sons. The ranch contains numerous pastures and traps.

The expiring grazing lease is for 23 Animal Units (AU) yearlong at 100% Public Land for 162 Animal Unit Months (AUM's). Actual livestock numbers on the entire ranch are not controlled by the BLM as explained in the General Setting portion of the Affected Environment section above.

6. Visual Resources: The allotment is located within a Class IV Visual Resource Management area. This means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape.

7. Water Quality: No perennial surface water is found on the Public Land on this allotment.

8. Air Quality: Air quality in the region is generally good. The allotment is in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Recreation: Since this allotment has no facility based recreational activities, only dispersed recreational opportunities occur on these lands. Recreational activities that may occur include hunting, caving, sightseeing, Off Highway Vehicle Use, primitive camping, horseback riding and hiking.

Off Highway Vehicle designation for public lands within this allotment are classified as "Limited" to existing roads and trails. The majority of public lands in this allotment can only be legally accessed by foot (hiking, or walking).

Due to the fact that public land boundaries are not marked adequately or identified by signs and/or fences, the general public is reluctant to use these public lands in fear of being in trespass on private land.

10. Cave/Karst: A complete significant cave or karst inventory has not been completed for the public lands located in this grazing allotment. The public lands within this allotment have been designated, "High cave and Karst potential. At the present time, no known significant caves or karst features have been identified within this allotment. There are known caves just east and south of this allotment.

IV. Environmental Impacts

A. Impacts of the Proposed Action

1. Soils: Livestock remove the cover of standing vegetation and litter, and compact the soil by trampling (Stoddart et al. 1975). These effects can lead to reduced infiltration rates and increased runoff. Reduced vegetative cover and increased runoff can result in higher erosion rates and soil losses, making it more difficult to produce forage and to protect the soil from further erosion. These adverse effects can be greatly reduced by maintaining an adequate vegetative cover on the soil (Moore et al. 1979). Rangeland monitoring data from the allotment indicates that, at the level of grazing identified in the proposed action, the percent bare ground and rock found on the allotment fall within the parameters established by the RMP/EIS for this vegetative community. Proper utilization levels and grazing distribution patterns are expected to retain sufficient vegetative cover on the allotment, this will maintain the stability of the soils. Soil compaction and excessive vegetative use will occur at small, localized areas such as bedding areas and along trails. Positive affects from the proposed action may include acceleration of the nutrient cycling process and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. Ecological condition and trend is expected to remain stable and/or improve over the long term with the proposed authorized number of livestock and existing pasture management. Rangeland monitoring data indicates that there is an adequate amount of forage for the proposed number of livestock and for wildlife.

3. Wildlife: Wildlife will continue to compete with domestic livestock for forage and browse. Cover, and other habitat requirements for wildlife will remain the same as the existing situation. With proper utilization levels there will be adequate cover and forage for wildlife species; resulting in sustainable wildlife populations for those species that occupy the area.

4. T&E species: Livestock grazing resulting from issuing a grazing lease, may affect, but not likely to adversely affect the bald eagle. It is expected that habitat and range condition would be maintained or improved by authorizing grazing conducive with vegetative production goals for watershed and wildlife habitat. Habitat for wintering bald eagles would not be negatively impacted by livestock grazing. There would be no impact to the peregrine falcon as important riparian nesting sites are not found on this allotment.

5 Livestock Management: Livestock would continue to be grazed under the same management system and the same numbers as authorized under the expiring lease. No adverse impacts are anticipated under the proposed action.

6. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the allotment will remain the same.

7. Water Quality -. Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would still be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

9. Recreation: Grazing should have little or no impact on the dispersed recreational opportunities within this allotment, since the recreational use of these public lands are relatively low. The evidence or presence of livestock can negatively affect visitors who desire solitude, unspoiled landscape views or hike without seeing signs of livestock. However, grazing can benefit some forms or recreation, such as hunting, by creating new water sources for game animals.

10. Caves/Karst: No known significant caves or karst features are known to exist on the public lands located within this allotment. However, there is a high potential that caves do exist on this allotment. If at a later date, a significant cave or karst features are found on public lands within this allotment, that cave or feature may be fenced to exclude livestock grazing and Off Highway Vehicle Use.

B. Impacts of the No Livestock Grazing Alternative.

1. Soils: Soil compaction would be reduced on the allotment around old trails and bedding grounds, there would be a small reduction in soil loss on the allotment.
2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.
3. Wildlife: Wildlife would have no competition with livestock for forage and cover.
4. T&E Species: There would be no change in the impacts on the bald eagle or peregrine falcon from the existing situation.
5. Livestock management: The forage from public land would be unavailable for use by the lessee. This would have a significant adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR 4140.1(b)(1)]. The checkerboard land status on the allotment makes it economically unfeasible to fence out the public land and use only the private land.
6. Visual Resources: There would be no change in the visual resources.
7. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during stormflow.
8. Air Quality: There would be a slightly less dust under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.
9. Recreation: Impacts would be very minor under the alternative. No positive impacts from livestock watering locations would occur.
10. Caves/Karst: Impacts would be the same as the proposed action if no significant caves are found.

V. Cumulative Impacts

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotment 62088 is surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.

If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the leased numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities and/or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

VI. Residual Impacts

Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

VII. Mitigating Measures

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

VIII. Fundamentals of Rangeland Health

The fundamentals of rangeland health are identified in 43 CFR §§4180.1 and pertain to watershed function, ecological process, water quality, and habitat for threatened and endangered (T&E) species and other special status species. Based on the available data and professional judgement, the evaluation by this environmental assessment indicates that the conditions identified in the fundamentals of rangeland health exist on this allotment.

IX. BLM Team Members

Jim Schroeder, Hydrologist
John Spain, Rangeland Management Specialist
Tim Kreager, AFM Resources
Irene Gonzales-Salas, Realty Specialist
Jerry Dutchover, Minerals Geologist

Rand French, Wildlife Biologist
Pat Flanary, Archeologist
Paul Happel, Outdoor Recreation Planner
Howard Parman, Resource Planner

X. Literature Cited

Moore, E., E. Janes, F. Kinsinger, K Pitney, and J. Sainsbury. 1979. Livestock grazing management and water quality protection - state of the art reference document. EPA 910/9-79-67. Envir. Prot. Agen. Seattle, WA 147 pp.

Stoddart, L.A., A.D. Smith, and T.W. Box. 1975. Range Management. Third Ed. McGraw-Hill, Inc., New York. 532 pp.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

T. R. Kreager,
Assistant Field Manager - Resources

Date